

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Jose Bustos, #243392,)	
)	
Petitioner,)	C.A. No. 3:06-368-HMH-JRM
)	
vs.)	OPINION & ORDER
)	
William White, Warden of Broad River)	
Correctional Institution; and Henry D.)	
McMaster, Attorney General of South)	
Carolina,)	
)	
Respondents.)	

This matter is before the court on remand from the United States Court of Appeals for the Fourth Circuit. On March 28, 2008, the Fourth Circuit reversed the court's conditional grant of a habeas writ and remanded the case for "entry of judgment in favor of the government." See Bustos v. White, No. 07-6598, 2008 WL 820501, at *4 (4th Cir. Mar. 28, 2008). The Fourth Circuit concluded that the state court decision was neither "contrary to, [n]or involved an unreasonable application of, clearly established Supreme Court law." Id.

Therefore, it is

ORDERED that judgment is entered in favor of the government.

IT IS SO ORDERED.

s/Henry M. Herlong, Jr.
United States District Judge

Greenville, South Carolina
May 14, 2008